PART II—Section 2.

NOTIFICATIONS BY GOVERNMENT.

CHIEF SECRETARIAT.

No. R. 1115—*L. R.* 484-26-9, *dated 8th August* 1928.

In supersession of the existing rules, the Government of His Highness the Maharaja are pleased to issue the following revised rules for the grant of lands for the cultivation of tea, coffee, cinchona, rubber and cardamom crops in the State.

I.

Rules for the grant of land for tea cultivation.

1. Applications for land for tea cultivation shall be made to the Amildar in the first instance setting forth the area required, the survey numbers, the village and the hobli in which the land is situated.

2. The land applied for, when more than 50 acres in extent, shall be inspected by a higher Revenue Officer than the Amildar, and when situated in a valuable timber tract, by the District Forest Officer.

3. In all cases, the enquiry shall be instituted as to whether the land can be given out for cultivation without prejudice to the interests and rights of neighbouring village communities and of the Forest Department.

4. Ordinarily, no application shall be entertained for an area larger than 500 acres, but in special cases in which the Deputy Commissioner is satisfied of the applicant's ability to bring under cultivation a larger area within a reasonable time, an application may be entertained for such area as the Deputy Commissioner considers reasonable.

5. No land containing valuable timber trees, which it is desirable that the Government should in the Forest Department conserve and work, shall be granted for tea cultivation.

6. When it has been ascertained that there is no objection to the grant of the land applied for, it shall be duly demarcated, and shall ordinarily be sold by public auction, subject to an upset price, to be fixed by the Deputy Commissioner, with reference to the market value of the land, such upset price being not less than Rs. 10 per acre. Deputy Commissioners may dispose of lands by public auction up to a limit of 50 acres. In exceptional cases where a sale by public auction is undesirable, the Revenue Commissioner may order the grant of the land to the first applicant or to any other person on a fair valuation. His powers of grant either by auction or for upset price will be limited to an extent of 100 acres. All other cases, particularly where the applications are considered to be of a speculative nature, should be referred to Government.

7. The land shall be granted subject to the following conditions :—

(*a*) It will be held free of assessment for the first five years from date of grant and on full assessment at the rate of Rs. 1-8-0 per acre from the 6th year onwards.

(*b*) No grant will be made unless the applicant is able to prove that he can raise the necessary capital for starting the industry.

(*c*) One-fifth of the area granted shall be planted every year.

(*d*) The grantee shall bind himself in writing to pay the full assessment from the 1st year in the event of his resigning the land after cutting down the timber on it or otherwise clearing any portion of it but without having made any *bona fide* attempt to bring under cultivation the arable area included in it.

8. Before the land is advertised for sale, the applicant shall deposit with the Deputy Commissioner one-fourth of the upset price fixed as above.

9. Full notice of every intended sale shall be published in the neighbouring villages and all sales of blocks of greater extent than 250 acres shall be advertised in the Official Gazette.

10. Whenever the lands are sold by auction, they shall be knocked down to the highest bidder above the upset price fixed, whereupon the purchaser shall deposit a sum equal to 25 per cent of his bid, and in default of such deposit, the property shall forthwith be again put up and sold. The full amount of purchase money shall be paid before sunset of the 15th day from that on which the sale of the land took place, or if the said 15th day be an authorised holiday, then before sunset of the first office day after such 15th day.

11. In default of payment within the prescribed period of the full amount of purchase money, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to Government and the property shall be resold, and the defaulting purchaser shall

forfeit all claim to the property or to any part of the sum for which it may be subsequently sold, provided that in any case in which the enforcement of this condition may involve undue hardship, it shall be competent to the Deputy Commissioner to submit the necessary recommendation for the orders of Government.

12. If the proceeds of the sale, which is eventually made, be less than the price bid by such defaulting purchaser, the difference shall be recoverable from him by the Deputy Commissioner as an arrear of land revenue.

13. The deposit of one-fourth of the upset price made by the applicant under para 8 above shall, if the land be knocked down to him at the auction, be credited towards his deposit of 25 per cent of the purchase money, and it shall be refunded to him if the land is purchased by any other person in the auction.

14. The Deputy Commissioner may, in his discretion, grant to the holder of a tea estate, on a fair valuation and without auction, any moderate extent of Kharab land adjoining his estate which may be unfit for tea cultivation, such as (1) drying grounds, (2) factory buildings, (3) store-buildings, (4) cooly lines and (5) bungalows. In making grants under this rule due regard shall be had to the provisions of the preceding rules as far as they apply, provided that in no case shall the extent of land to be granted by the Deputy Commissioner, under this rule exceed ten acres for any single estate without the previous sanction of Government.

Land granted under this rule shall be assessed at *rupee one and annas eight* per acre.

The proprietor of a tea estate may be allowed to erect cooly lines, factories, store-buildings, etc., on the assessed land under his occupation.

15. Lands granted under these rules shall be held on a guarantee of 30 years and title-deeds shall be granted to the grantee specifying the conditions and privileges of the grant in the form given below.

16. A fee of one rupee for each title-deed shall be recovered from the grantee for cost.

II.

RULES FOR THE GRANT OF LAND FOR COFFEE OR CINCHONA CULTIVATION.

1. Applications for land for coffee or cinchona cultivation shall be made to the Amildar in the first instance, setting forth the area required, the survey number, the village and hobli in which the land is situated.

2. The land applied for, when more than 50 acres in extent, shall be inspected by a higher Revenue Officer, and when situated in a valuable timber tract, by the Forest Officer.

3. In all cases due enquiry shall be instituted as to whether the land can be given out for cultivation without prejudice to the interests and rights of neighbouring village communities and of the Forest Department.

4. Ordinarily, no application shall be entertained for an area larger than 200 acres, but in special cases in which the Deputy Commissioner is satisfied of the applicant's ability to bring under cultivation a large area within a reasonable time, an application may be entertained for such area as the Deputy Commissioner may consider reasonable.

5. No land containing numerous valuable timber trees, which it is desirable that the Government should in the Forest Department conserve and work, shall ever be granted for coffee or cinchona cultivation.

6. When it has been ascertained that there is no objection to the grant of the land applied for, it shall be duly demarcated and shall ordinarily be sold by public auction, subject to an upset price, to be fixed by the Deputy Commissioner, with reference to the market value of the land, such upset price being not less than Rs. 10 per acre. Deputy Commissioners may dispose of lands by public auction up to a limit of 50 acres. In exceptional cases where a sale by public auction is undesirable, the Revenue Commissioner may order the grant of the land to the first applicant or to any other person on a fair valuation. His powers of grant either by auction or for upset price will be limited to an extent of 100 acres. All other cases, particularly where the applications are considered to be of a speculative nature, should be referred to Government.

Provided also that when coffee lands are applied for by applicants belonging to the Depressed Classes, the lands may be given by the Deputy Commissioner to the first applicant for an upset price without auction. In such cases a muchalika should be taken

from the grantees in the form prescribed in the Government Order No. R. 869-75—L. R. 75-25-2, dated the 18th August 1925, stating that they will not alienate the lands for a period of 15 years. The extent granted to any one individual under this proviso should not exceed 15 acres in extent.

What the fixed upset price of the land shall include.

7. The upset price fixed as above shall include survey expenses and the right of Government to all reserved trees except sandal which shall always be reserved absolutely to the Government.

Deposit to be made by applicant.

8. Before the land is advertised for sale, the applicant shall deposit with the Deputy Commissioner one-fourth of the upset price fixed as above.

Publicity of sale.

9. Full notice of every intended sale shall be published in the neighbouring villages, and all sales of blocks of greater extent than 50 acres shall be advertised in the Official Gazette.

Sale how conducted and the disposal of the applicant's deposit.

10. The sale shall be by public auction under the usual conditions, and the land shall be knocked down to the highest bidder above the upset price fixed, whereupon the purchaser shall deposit a sum equal to 25 per cent of his bid, and in default of such deposit, the property shall forthwith be again put up and sold. The full amount of purchase money shall be paid before sunset of the 15th day from that on which the sale of the land took place, or if the said 15th day be an authorised holiday, then before sunset of the 1st office day after such 15th day.

10A. In default of payment within the prescribed period of the full amount of purchase money, the deposit, after defraying thereout the expense of the sale, shall be forfeited to Government, and the property shall be resold, and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may be subsequently sold, provided that in any case in which the enforcement of this condition may involve undue hardship it shall be competent to the Deputy Commissioner to submit the necessary recommendation for the order of Revenue Commissioner.

10B. If the proceeds of the sale, which is eventually made, be less than the price bid by such defaulting purchaser, the difference shall be recoverable from him by the Deputy Commissioner as an arrear of land revenue.

10C. The deposit of one-fourth of the upset price made by applicant under para 8 above, shall, if the land be knocked down to him at the auction, be credited towards his deposit of 25 per cent of the purchase money, and it shall be refunded to him, if the land is purchased by any other person in the auction.

11. The lands sold under the above rules shall be given on a guarantee for 30 years on the terms of the Survey Settlement and shall be held free of assessment for the first three years and on half assessment for the next two years, the full assessment of Rs. 1-4-0 per acre being payable from and after the 6th year. But before this concession is granted, the purchaser will bind himself in writing to pay the full assessment from the 1st year in the event of his resigning the lands after cutting down the timber on it or otherwise clearing any portion of it but without having made any *bona fide* attempt to bring under cultivation the arable lands included in it.

Concession as regards land required *bona fide* for purposes of coffee cultivation, such as drying grounds, cooly lines, etc.

12. The Deputy Commissioner may, in his discretion, grant to the holder of a coffee estate, on a fair valuation and without an auction, any moderate extent of Kharab land adjoining his estate, which may be unfit for coffee cultivation, but required *bona fide* for purposes of coffee cultivation, such as (1) drying-grounds, (2) pulper buildings and washing cisterns, (3) store buildings, (4) cooly lines, and (5) bungalows. In making grants under this rule, due regard shall be had to the provisions of the preceding rules as far as they apply, provided that in no case shall the extent of land to be granted by the Deputy Commissioner under this rule exceed ten acres for any single estate without the previous sanction of the Government.

Land granted under this rule shall be assessed at *rupee one and annas four* per acre.

The proprietor of a coffee estate may be allowed to erect cooly lines, store buildings, etc., on the assessed land under his occupation.

13. For lands under these rules title-deeds shall be granted to the grantees specifying the conditions and privileges of the grant in the appended form.

Fee for title-deed.

14. A fee of one rupee for each title-deed shall be recovered from the grantee for cost.

Drawing toddy—how allowed and how restricted.

15. The grantee can draw toddy from Bagani or other trees for the making of bread or other *bona fide* domestic purpose, but not otherwise, as the toddy contractor alone has the right to draw toddy for other purposes after obtaining the grantee's consent.

FORM.

Whereas under the Rules for the disposal of lands for coffee cultivation the land specified in the schedule hereunder written has been sold $\frac{\text{in public auction}}{\text{for upset price}}$ and A. B., being the $\frac{\text{highest bidder}}{\text{purchaser}}$ was declared the purchaser thereof, and whereas the said A. B., has paid into the Government Treasury the full sum of the purchase money amounting to Rs...

Now I.C.D., the Deputy Commissioner of .., acting under the authority of the Government of His Highness the Maharaja of Mysore, do hereby grant and confirm the said land to the said A. B., his heirs, personal representatives and assigns under the terms of the Survey Guarantee and subject to the provisos hereinafter mentioned, and subject also to the regular yearly payment of the sum of Rs... as the land revenue assessment of the land until the same is revised in accordance with the law for the time being in force.

1. Provided that this assessment shall be paid for each revenue year to the proper receiving officer on or before the 31st March in that year, failing which it will be recoverable by the ordinary process for recovering arrears of land revenue in Mysore.

2. Provided also that the said A. B., or other lawful owner of the said land, shall, at all times hereafter at his own expense, repair and maintain in good order the boundary marks erected round and in the said land, failing which, it shall be lawful for His Highness the Maharaja's Government after due notice to cause the repair of the boundary marks to be carried out and to recover the cost of such repair as a revenue demand from the said A. B., or other lawful owner.

3. Provided also that this title-deed in no way affects the liability of the abovesaid land to such rates or taxes other than land revenue as are or as may be imposed by law, whether for general, municipal or other local purposes; nor does it in any way affect any rights or interest which other parties may have in the said land.

4. Provided also that nothing in the title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads and paths and in streams of water running through or bounding the said land.

5. Provided also that this title-deed shall in no way be considered to grant to or in any way vest in the said A. B., his heirs, personal representatives or assigns any right, title or interest in or to precious stones, gold and other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof all of which are hereby respectively reserved to the Government of His Highness the Maharaja of Mysore subject to the following conditions, namely:—

(*a*) That if the said Government decides to work any mine upon the land either by itself or its servants, agents and other persons by it duly authorised, then the said Government shall have full and free liberty and right of ingress, egress and regress by nearest way at all times for itself and its servants, agents and workmen and for all persons by it duly authorised, in and upon the said lands and premises and either with or without horses and other cattle, carts and waggons and other carriages to erect on the said land and premises and to use any engines or machinery for the purpose of searching for, working, getting and carrying away the said precious stones, gold and other minerals, and coal, with full liberty for the said Government to sink, drive, make and use upon the said land, mines, pits, shafts, drifts adits, air-courses and water courses and to use all water which may be lifted or raised from the same and also to appropriate and use any part of the surface of the land and premises for depositing, placing and heaping thereon, the minerals, waste, rubbish and other substances which may be got from the said mines and generally to do all other acts and things necessary or proper for working and getting the said precious stones, gold and other minerals and coal and rendering the same merchantable, the said Government paying or rendering compensation to the said A. B., his heirs, personal representatives and assigns shall sustain by reason of the exercise by the said Government of such right of way as is hereinbefore reserved, or by the erection and use of any such engines, machinery or works as are hereinbefore mentioned or the exercise of all or any of the rights hereinbefore reserved to the said Government, provided always that nothing hereinbefore contained shall authorise the said Government to sink any mine, pit or shaft or exercise any of the rights hereinbefore reserved to it upon any part of the said land and premises which shall be occupied by any messuage or dwelling house or its curtilage or by any enclosed garden or orchard, and provided further that if the said Government and the said A. B., his heirs, personal representatives or assigns do not agree as to the amount of compensation to be paid to the said A. B., his heirs, personal representatives or assigns the amount of such compensation shall be settled in accordance with the procedure prescribed by the Land Acquisition Act, 1870, for determining the amount of compensation; and

(*b*) That the said A. B., his heirs, personal representatives or assigns shall always be allowed to use free of charge any limestone, granite and ordinary minerals other than metals or coals or precious stones which may be found on or under the said land and which may be applied to the *bonâ fide* private use of the said A. B., his heirs, personal representatives or assigns and not removed for purposes of sale.

6. And provided also that this title-deed shall not be considered in any way to grant to or vest in the said A. B., his heirs, personal representatives or assigns the right to Sandal trees, which are hereby reserved to the Government of His Highness the Maharaja of Mysore.

Specification of the land.

District	Taluk	Village	Name, if any	Boundaries	Survey No.	Extent		Assessment	
1	2	3	4	5	6	7		8	
						A.	G.	Rs.	a. p.

Dated this day of 19

By order of the Government of His Highness the Maharaja of Mysore.

[Signed]

Deputy Commissioner.

III.

Rules for the grant of lands for rubber cultivation.

Government direct that all future applications for lands for rubber cultivation be dealt with in accordance with the rules contained in Appendix II relating to the grant of lands for coffee cultivation. The lands will be sold by auction subject to a minimum upset price of Rs. 10 per acre and granted on temporary tenure. They will be held free of assessment for the first three years and on half assessment for next two years, full assessment at Rs. 1-8-0 per acre being recovered from the 6th year. A title-deed in the form given above will be issued to the grantee, whenever lands are given out for rubber cultivation as above.

2. In the case of lands which have already been given out for rubber cultivation under the rules of 28th September 1906, Government are pleased to direct that the rates of assessment be reduced from Rs. 3 to Rs. 2 per acre.

No. R. 1280—*L. R.* 524-27-7, *dated* 11*th August* 1928.

Under Section 5 of the Land Revenue Code, Government are hereby pleased to notify to the public, that with effect from 1st October 1928 there will be a separate Amildar for Bangalore City with jurisdiction over Kasaba and Yesvantpur Hoblis.

No. R. 1305—*L. R.* 1-27, *dated* 14*th August* 1928.

It is hereby notified under section 4 (1) of the Village Offices Regulation, that the Pateli Office of Bettahalasur and Sonnappanahalli Villages in Devanhalli Taluk, Bangalore District, shall not be subject to the operation of section 8 of the said Regulation. The Swami of Hunusamaranahalli *Matha* shall be registered as the holder of the office and shall be permitted to nominate a gumastha to look after the duties of the office.

No. R. 1309—*L. S.* 3-28-3, *dated* 14*th August* 1928.

Under Section 236 of the Mysore Land Revenue Code, Regulation No. IV of 1888, the Government of His Highness the Maharaja of Mysore are pleased to extend the provisions of Chapters VIII to X of the said Code to the Inam Village of Linganapur in the Chamrajnagar Taluk, Mysore District.

No. R. 1321—*L. S.* 6-27-77, *dated* 14—15*th August* 1928.

It is hereby notified for general information that the words "the Amildar or other Officer specially authorised by the Deputy Commissioner in this behalf" are to be substituted for the words "the Amildar" in the second sentence of paragraph 3 of Government Notification No. R. 799—L. S. 6-27-74, dated 26th July 1928.

By Order,
N. MADHAVA RAO,
Chief Secretary to Government.

DEVELOPMENT SECRETARIAT.

No. D. 1675—*Uni.* 76-28-2, *dated* 9*th August* 1928.

Mrs. S. G. Hensman, M.A., Superintendent, Intermediate College for Women, Bangalore is permitted to change her name from S. G. Hensman to H. S. Hensman.

*No. D.*1868—*J. S.*39-27-4, *dated* 11*th August* 1928.

It is notified for general information that in accordance with the rules under section 144 of the Mysore Companies Regulation VIII of 1917, the Government of His Highness the Maharaja are pleased to sanction the grant of a temporary auditor's certificate to

1. Name—Mr. B. R. Subba Rao, M.A.
2. Address—Lecturer, Intermediate College, Mysore.
3. Languages accounts in which the holder is entitled to audit — English and Kannada.

By Order,
N. RAMA RAO,
Secretary to Government,
Development Departments.

LAW SECRETARIAT.

No. P. 973—*Cts.* 26-28-4, *dated* 9—10*th August* 1928.

The Village Munsiff's Court established at Arsikere, Hassan District, under Notification No. J. 4048—Cts. 173-17-4 dated 4th April 1918, is hereby abolished.

No. Rel. 48—*R. A.* 2-28-6, *dated* 9*th August* 1928.

A casual vacancy having occurred in the Representative Assembly by reason of absence from the State of Lt. Col. C. N. Keith, Superintendent, Balaghat Gold Mines, Ltd., Government are pleased to direct under Rule 3 of the rules published under Notification No. P. 3867—Legis. 12-23-15, dated 11th January 1924 that there shall be an election of a member to the Representative Assembly from the Kolar Gold Field Mining Board Special Interest to fill up the said vacancy.

2. The Secretary, Kolar Gold Field Mining Board will take necessary steps to hold an election in accordance with instructions laid down in Official Memorandum No. 3920—Legis. 12-23-80, dated 15th January 1924 and report before the 28th August 1928 the name of the candidate elected for being notified in the Gazette.

No. P. 1114—*Legis.* 6-28-4, *dated* 14*th August* 1928.

The following draft amendment which the Government propose to make in exercise of the powers conferred on them under section 9 of the Mysore Motor Vehicles Regulation, 1913, to the Mysore Motor Vehicles Rules issued with Notification No. P. 3015—Legis. 21-22-10, dated 11th December 1924 as amended by Notification No. P. 6118—Legis. 46-25-17, dated 27th May 1927 is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th September 1928 and that any suggestions or objections which may be received from any person with respect to the said draft before the date aforesaid will be considered by Government.

Draft Amendment.

For the existing condition (12) of the 'G' permit, substitute the following:—

"6. This permit may be cancelled or suspended by the District Magistrate for any breach of its conditions or for any infringement of its provisions of any Regulation or of any rule having the force of law. When any permit has been cancelled or suspended the holder thereof shall forthwith return it to the officer who issued it".